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| <h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;"><i>(to be used for all correspondence after initial filing)</i></p> | | Application Number | 10/617,489 |
| | | Filing Date | July 10, 2003 |
| | | First Named Inventor | Thomas L. CANTOR |
| | | Art Unit | 1641 |
| | | Examiner Name | C. Cheu |
| Total Number of Pages in This Submission | 9 | Attorney Docket Number | 532212000623 |

| ENCLOSURES (Check all that apply) | | |
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| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement of Substance of Interview, plus Exhibits 1 to 5 (8 pages) |
| <div style="border: 1px solid black; padding: 5px; display: inline-block;">Remarks</div> <div style="text-align: center; margin-top: 10px;">CUSTOMER NO. 25225</div> | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|-------------------------|----------|--------|
| Firm Name | MORRISON & FOERSTER LLP | | |
| Signature | /Peng Chen/ | | |
| Printed name | Peng Chen | | |
| Date | November 8, 2007 | Reg. No. | 43,543 |

Docket No.: 532212000623
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Thomas L. CANTOR

Application No.: 10/617,489

Confirmation No.: 4476

Filed: July 10, 2003

Art Unit: 1641

For: METHODS, KITS AND ANTIBODIES FOR
DETECTING PARATHYROID HORMONE

Examiner: C. Cheu

STATEMENT OF SUBSTANCE OF INTERVIEW

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On November 6, 2007, Examiner Jacob Cheu and the undersigned had a telephonic interview to discuss the various outstanding issues for the present application. Applicant and the undersigned greatly appreciate Examiner Cheu for granting the interview and discussing the various issues with the undersigned. The following is a summary of the November 6, 2007 interview:

Examiner Cheu requested copies of several initialed PTO Form SB/08s. Specifically, copies of the SB/08s from April 18, 2005, August 5, 2005, May 3, 2006, December 20, 2006, January 24, 2007, February 2, 2007 and April 10, 2007. Upon a review of the applicants' file, the following initialed PTO Form SB/08s were found: April 18, 2005, August 5, 2005, May 3, 2006, December 20, 2006, and February 2, 2007. Copies of these initialed PTO Form SB/08s are enclosed herewith as Exhibits 1-5. Applicants have not received any initialed PTO Form SB/08s from the January 24, 2007 and April 10, 2007 IDS submissions.

Examiner Cheu and the undersigned also discussed the status of a Rule 48 inventorship correction request that the Applicants requested on April 4, 2007. In that request, Applicants sought to add Ping Gao as a co-inventor to the present application. Examiner Cheu agreed to look into the status of the inventorship correction request.

Dated: November 8, 2007

Respectfully submitted,

By /Peng Chen/

Peng Chen

Registration No.: 43,543

MORRISON & FOERSTER LLP

12531 High Bluff Drive, Suite 100

San Diego, California 92130-2040

(858) 720-5117



ALTERNATIVE TO PTO/SB/08a/b (08-03)

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|---|---|----|--------------------------|------------------------|--------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | Complete if Known | | |
| | | | Application Number | 10/617,489 | |
| | | | Filing Date | July 10, 2003 | |
| | | | First Named Inventor | Thomas L. CANTOR | |
| | | | Art Unit | 1641 | |
| | | | Examiner Name | J. Cheu | |
| Sheet | 1 | of | 1 | Attorney Docket Number | 532212000623 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁴ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
| | | | | | | |

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS – SUBJECT TO PROTECTIVE ORDER | | | | |
|---|--------------------------|---|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | T ² |
| J | 1. | Declaration of Julia A. Miller in Support of Nichols Institute Diagnostics, Inc.'s Motion for Leave to File Amended Complaint, filed January 26, 2004 | | |
| | 2. | Nichols Institute Diagnostics, Inc.'s Notice of Lodgement of Corrected Copy of Proposed Second Amended Complaint, Exhibit A to Declaration of Julia A. Miller in Support of Nichols' January 26, 2004 Motion for Leave to File Amended Complaint, filed February 23, 2004 | | |
| | 3. | Declaration of Julia A. Miller in Support of Nichols Institute Diagnostics, Inc.'s Motion for Summary Judgment that the '790 Patent Claims are Valid and Infringed, filed February 28, 2005 | | |

| NON PATENT LITERATURE DOCUMENTS – PROPRIETARY INFORMATION | | | | |
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| J | 4. | Declaration of Thomas L. Cantor with Exhibit A, executed on April 7, 2005 | | |

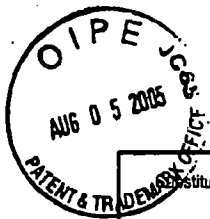
*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

| | | | |
|-----------------------|----------------------|--------------------|--------|
| Examiner Signature | <i>C/H - J. Cheu</i> | Date Considered | 8/1/05 |
|-----------------------|----------------------|--------------------|--------|

sd-254906

Exhibit 1
Application Serial No. 10/617,489



ALTERNATIVE TO PTO/SB/08a/b (08-03)

| | | | |
|---|---|--------------------------|------------------|
| Institute for form 1449/PTO | | Complete If Known | |
| | | Application Number | 10/617,489 |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | Filing Date | July 10, 2003 |
| | | First Named Inventor | Thomas L. CANTOR |
| | | Art Unit | 1641 |
| | | Examiner Name | C. Cheu |
| | | Attorney Docket Number | 532212000623 |
| Sheet | 1 | of | 1 |

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| Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| J ↓ ↓ ↓ ↓ | 1. | Memorandum of Points and Authorities in Support of Scantibodies' Motion for Summary Judgment of Invalidity and Noninfringement, filed February 18, 2005 | |
| | 2. | Declaration of Katherine L. Parker in Support of Scantibodies' Motion For Summary Judgment of Invalidity and Noninfringement, with Exhibits 1-39, filed February 18, 2005 | |
| | 3. | Nichols Institute Diagnostics, Inc.'s Opposition to Motion For Summary Judgment of Invalidity and Non-Infringement, filed March 7, 2005 | |
| | 4. | Declaration of Julia A. Miller in Support of Nichols Institute Diagnostics, Inc.'s Opposition to Motion For Summary Judgment of Invalidity and Non-Infringement, with Exhibits A-E, filed March 7, 2005 | |
| | 5. | Declaration of Katherine L. Parker in Support of Scantibodies' Reply Motion For Summary Judgment of Invalidity and Noninfringement, with Exhibits 1-4, filed March 14, 2005 | |

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¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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| Examiner Signature | <i>Chen</i> | Date Considered | 1/23/05 |
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sd-273642

Exhibit 2
Application Serial No. 10/617,489



ALTERNATIVE TO PTO/SB/08a/b (07-05)

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| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/617,489 |
| | | | | Filing Date | July 10, 2003 |
| | | | | First Named Inventor | Thomas L. CANTOR |
| | | | | Art Unit | 1641 |
| | | | | Examiner Name | C. Cheu |
| Sheet | 1 | of | 2 | Attorney Docket Number | 532212000623 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|-----------------------|---|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number Number-Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
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| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-----------------------|---|------------------|---|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | MM-DD-YYYY | | | |
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| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | 1. | Deposition of Claude D. Arnaud, taken on February 1, 2005 | |
| | 2. | Deposition of Gerald Bjorge, taken on January 27, 2005 | |
| | 3. | Deposition of Thomas Cantor, taken on August 27, 2003 | |
| | 4. | Deposition of Thomas Cantor (30(B)(6)), taken on September 11, 2003 | |
| | 5. | Deposition of Damon Cook, taken on June 16, 2003 | |
| | 6. | Deposition of Damon Cook (30(B)(6)), taken on September 12, 2003 | |
| | 7. | Deposition of Joseph O. Falkinham, taken on January 21, 2005 | |
| | 8. | Deposition of Wolf-Georg Forssmann, Ph.D., taken on August 25, 2003 | |
| | 9. | Deposition of Ping Gao, M.D., taken on June 18, 2003 | |
| | 10. | Deposition of Allen Garrett, taken on May 20, 2005 | |
| | 11. | Deposition of Thomas Godemeyer, taken on October 6, 2004 | |
| | 12. | Deposition of Mark Gray, taken on June 16, 2003 | |
| | 13. | Deposition of Dr. Richard Lerner, taken on January 13, 2005 | |
| | 14. | Deposition of Dr. Richard Lerner, taken on March 16, 2005 | |
| | 15. | Deposition of Markus Magerlein, Ph.D., taken on May 28, 2003 | |
| | 16. | Deposition of Markus Magerlein, Ph.D., taken on August 10, 2004 | |
| | 17. | Deposition of Michael Nordstrom (30(B)(6)), taken on September 17, 2003 | |
| | 18. | Deposition of K. Ramakrishnan, Ph.D., (30(B)(6)), taken on August 13, 2003 | |
| | 19. | Deposition of K. Ramakrishnan, Ph.D., (30(B)(6)), taken on September 3, 2003 | |
| | 20. | Deposition of Stephen Scheibel, taken August 8, 2003 | |
| | 21. | Deposition of Janet Sharp, taken on August 19, 2003 | |
| | 22. | Deposition of Randolph Wall, taken January 31, 2005 | |
| | 23. | Deposition of J. Stuart Woodhead, taken January 18, 2005 | |
| | 24. | Deposition of Zan Yang, Ph.D., taken on June 16, 2003 | |

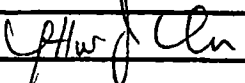
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| Examiner Signature sd-312151 | <i>Cheu</i> | Date Considered 9/16/06 |
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| Substitute for form 1449/PTO | | | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Application Number | 10/617,489 |
| | | | | Filing Date | July 10, 2003 |
| | | | | First Named Inventor | Thomas L. CANTOR |
| | | | | Art Unit | 1641 |
| | | | | Examiner Name | C. Cheu |
| Sheet | 2 | of | 2 | Attorney Docket Number | 532212000623 |

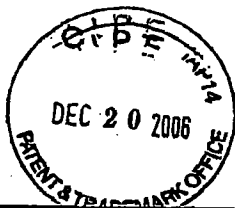
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| 25. | Nichols Institute Diagnostics, Inc.'s Notice of and Ex Parte Application for Order to File Its Consolidated Confidential Declaration of April M. Alex in Support of (1) Nichols Institute Diagnostics, Inc.'s Motion for Judgment as a Matter of Law Re: Willfulness and in the Alternative for a New trial and (2) Nichols Institute Diagnostics, Inc.'s Motion For Enhanced Damages Under Seal, filed January 27, 2006 | |
| 26. | Consolidated Confidential Declaration of April M. Alex in Support of (1) Nichols Institute Diagnostics, Inc.'s Motion for Judgment as a Matter of Law Re: Willfulness and in the Alternative for a New trial and (2) Nichols Institute Diagnostics, Inc.'s Motion For Enhanced Damages, filed January 27, 2006 | |
| 27. | [Proposed] Order Granting Nichols Institute Diagnostics, Inc.'s Ex Parte Application to File Its Consolidated Confidential Declaration of April M. Alex in Support of (1) Nichols Institute Diagnostics, Inc.'s Motion for Judgment as a Matter of Law Re: Willfulness and in the Alternative for a New trial and (2) Nichols Institute Diagnostics, Inc.'s Motion For Enhanced Damages Under Seal, filed January 27, 2006, order signed Judge Brewster on January 31, 2006 | |
| 28. | Confidential Deposition of Tom Cantor, taken on July 11, 2005 | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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| Examiner Signature |  | Date Considered | 9/26/06 ¹ |
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sd-312151



ALTERNATIVE TO PTO/SB/08a/b (07-05)

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| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | Complete if Known | | |
| | | | Application Number | 10/617,489 | |
| | | | Filing Date | July 10, 2003 | |
| | | | First Named Inventor | Thomas L. CANTOR | |
| | | | Art Unit | 1641 | |
| | | | Examiner Name | C. Cheu | |
| | | | Attorney Docket Number | 532212000623 | |
| Sheet | 1 | of | 1 | | |

| FOREIGN PATENT DOCUMENTS | | | | | | | |
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| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ² |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | | |
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| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|--------------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | 1. | Second Supplemental Response to Final Office Action from the Reexamination of United States Patent Number 6,689,566, having Control Numbers 90/007,685 and 90/007,732, filed December 1, 2006 | |
| | 2. | Non-Final Office Action from application serial number 10/945,608, mailed on November 15, 2006 | |
| | 3. | BORN et al., Endocrinology (1988) 123(4):1848-1853 | |
| | 4. | BORN et al., Mol. Endocrinol. (1987) 1:5-14 | |
| | 5. | BRINGHURST et al., Am. J. Physiol. (1988) 255(6 Pt 1):E886-93 | |
| | 6. | BRINGHURST et al., Endocrinology (1981) 108:103-108 | |
| | 7. | GARDELLA et al., Journal of Biological Chemistry (1991) 266:13141-13146 | |
| | 8. | GOLTZMANN et al., Journal of Biological Chemistry (1975) 250:3199-3203 | |
| | 9. | HORIUCHI et al., Am. J. Physiol. (1983) 244(6):E589-95 | |
| | 10. | KEUTMANN et al., Endocrinology (1985) 117(3):1230-1234 | |
| | 11. | NEER et al., J. Clin. Endocrinol. Metab. (1977) 44(2):420-423 | |
| | 12. | REEVE et al., Br. Med. J. (1980) 280:1340-1344 | |
| | 13. | ROSENBLATT et al., Biochemistry (1981) 20(25):7246-7250 | |
| | 14. | ROSENBLATT et al., Endocrinology (1978) 103(3):978-984 | |
| | 15. | SEGRE et al., Endocrinology (1985) 116(3):1024-1029 | |
| | 16. | SHIGENO et al., Journal of Biological Chemistry (1988) 263:3864-3871 | |
| | 17. | TREGGAR et al., Endocr. Res. Commun. (1975) 2(8):561-570 | |
| | 18. | Four litigation documents in Japanese requesting withdrawal of the Japanese Patent Office's invalidation of JP Patent No. 3457004, Nichols Institute Diagnostics v. Scantibodies Laboratories of Japan, Japanese High Court | |

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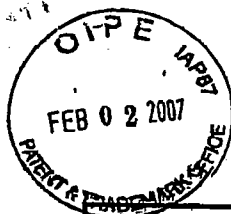
¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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| Examiner Signature | | Date Considered | 4/3/07 |
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sd-350469

Exhibit 4

Application Serial No. 10/617,489



ALTERNATIVE TO PTO/SB/08a/b (07-05)

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|---|---|--------------------------|------------------|
| Substitute for form 1449/PTO | | Complete if Known | |
| | | Application Number | 10/617,489 |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | Filing Date | July 10, 2003 |
| | | First Named Inventor | Thomas L. CANTOR |
| | | Art Unit | 1641 |
| | | Examiner Name | C. Cheu |
| Sheet | 1 | of | 1 |
| | | Attorney Docket Number | 532212000623 |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|---|-----------------------------------|--|---|----------------|
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| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
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| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | 1. | Decision of the European Patent Office regarding revocation of European Patent No. 0 783 522, dated January 10, 2007 | |

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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| Examiner Signature | | Date Considered | 8/31/07 |
| sd-356874 | | | |